THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 23211 of 1996

30-01-2006

Between:

1. M. Sainath s/o M. Sivalingappa
   R/o. Apilepalli village, Kundurpi mandal, Anantapur dist. And others.

..... PETITIONERS

AND

1 Mandal Revenue Officer,
Kundurpi, Anantapur district.and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 23211 of 1996

O R D E R:

The case of the petitioners is that they have been in longstanding possession of the land to an extent of Ac.1.50 cents each in S.No.86-4C of Apilepalli village, Kundur Mandal, Anantapur District and that respondents are trying to dispossess them without taking recourse to due process of law.

Though the writ petition is filed in 1996, none of the respondents filed their counter affidavits till today.

Since a person in possession cannot be dispossessed without taking recourse to due process of law and since the contention of the petitioners that they are in long standing possession of the land in S.No.86-4C is not denied or disputed by the respondents by filing a counter affidavit, this writ petition is disposed of with a direction to the respondents not to dispossess the petitioners from the land in their possession, without taking recourse to due process of law. No costs.

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30-01-2006

MjI/*